

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DEAN MADPLUME,

Defendant.

**CR-15-28-GF-BMM**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS**

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on October 16, 2018. (Doc. 61.) The United States accused Defendant Dean Madplume of violating his conditions of supervised release by 1) failing to report for mental health treatment and 2) failing to notify his probation officer of a change in residence. (Doc. 65 at 2.) Madplume admitted to both violations of his supervised release. (Doc. 65 at 2.) The violations prove serious and warrant revocation of Madplume's supervised release.

Judge Johnston entered Findings and Recommendations on October 17, 2018. (Doc. 65.) Judge Johnston recommended that the Court revoke Madplume's supervised release. (Doc. 65 at 3.) Judge Johnston recommended that the Court commit Madplume to the custody of the Bureau of Prisons for two months,

followed by twenty-four months supervised release. (Doc. 65 at 3.) Judge Johnston further recommended that Madplume spend the first sixty days of his supervised release in an in-patient drug treatment program at Connections Corrections in Butte, Montana, or at a similar facility recommended by the United States Probation Office. (Doc. 65 at 3.) Judge Johnston recommended that the supervised release conditions previously imposed be continued. (Doc. 65 at 3.)

Neither party filed objections. Accordingly, the Court will review Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no clear error in Judge Johnston's Findings and Recommendations. Madplume's violations represent a serious breach of the Court's trust. A custodial sentence of two months followed by twenty-four months of supervised release with the first sixty days of Madplume's supervised release spent in an in-patient drug treatment program is a sufficient, but not greater than necessary sentence.

**IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 65) is **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Dean Madplume is sentenced to two months in custody followed by twenty-four months supervised release with the first sixty days of release spent in an inpatient substance abuse treatment

program at Connections Corrections in Butte, Montana, or at a similar facility recommended by the United States Probation Office.

DATED this 5<sup>th</sup> day of November, 2018.

A handwritten signature in blue ink, reading "Brian Morris". The signature is written in a cursive style with a horizontal line extending from the end of the name.

Brian Morris  
United States District Court Judge